IN THE HIGH COURT OF JUDICATURE : AT JABALPUR
WRIT PETITION NO. 4214 /2000

PETITIONER

Smt. Neelam Soni, Aged about 33 yrs,
W/o. Sri Kamlesh Kumar Soni,
20/1350, Subhash Nagar,
Telibandha, Raipur

VERSUS

RESPONDENTS

1. State of Madhya Pradesh
Through: Secretary,
Manpower Planning Department
Vallabh Bhawan, Bhopal.

2. The Director,
Technical Education, MP
Satpuda Bhawan, Bhopal

3. The Principal,
Government College of Engineering &
Technology, Raipur

4. State Administrative Tribunal, Jabalpur

PETITION UNDER ARTICLE 226 AND 227 OF THE CONSITUTION OF INDIA

IN THE HIGH COURT OF JUDICATURE : AT JABALPUR

WRIT PETITION NO. 4214 /2000

Amended vide C.O dtd 26-6-03

Respondent No.1

1. State of Chhattisgarh, Through: Secretary, Manpower & Planning Department D K S Bhawan, Mantralaya, Raipur, C.G)

Respondent No 2.

Director, Technical Education Raipur(CG)

By R.S. Baghel Adv. 11/7/03

Surendra Kumar Kh... S. K. Khar... Oath Commissioner

HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

DIVISION BENCH

CORAM : HON'BLE SHRI H.L. DATTU, C.J. &
HON'BLE SHRI V.K. SHRIVASTAVA, J.

Writ Petition No. 4214 OF 2000

PETITIONER Smt. Neelam Soni

Versus

RESPONDENTS State of Chhattisgarh & others

Present : Shri P.S. Koshy, counsel for the petitioner.

Shri Sumesh Bajaj, Govt. Advocate for respondents No.1 to 3/ State.

ORAL ORDER
(Passed on 01st March, 2007)

The following oral order of the Court was passed by **H.L. Dattu, C.J.**

The petitioner calls in question the correctness or otherwise of the order passed by the M.P. Administrative Tribunal ("the Tribunal" for short) in Misc. Application No.458 of 1998, dated 21.01.2000. By the impugned order, the Tribunal after coming to the conclusion that the order passed in O.A. No.3153 of 1994 suffers from error on the face of record, has recalled its earlier order and has restored the Original Application to its file for a fresh decision in accordance with law.

(2) The Tribunal while allowing the Misc. Application 458 of 1998 has taken into consideration the contentions canvassed by both the parties to the *lis.* It has come to the conclusion that while passing the

order in O.A. No.3513 of 1994. the Tribunal has not taken into consideration certain aspects of the matter and therefore, thought it fit to recall the order. In our view, the findings and conclusions reached by the Tribunal in no way can be considered as erroneous. Therefore, interference with the said order is not called for. Accordingly, the petition requires to be rejected and it is rejected. Disposal of the writ petition will not come in the way of the State Government in granting any relief that they intend to grant to the petitioner. Ordered accordingly.

(3) In view of the disposal of the writ petition, question of consideration of the orders and directions issued in Misc. Application No.251 of 1999 would not arise for our consideration.

Sd/-
Vijay Kumar Shrivastava
Judge

Sd/-
Chief Justice